

NRC INSPECTION MANUAL

NMSS/FCSS

TEMPORARY INSTRUCTION 0610/001

GUIDANCE FOR CERTAIN FUEL CYCLE INSPECTION REPORTS TO PILOT USE OF NRC FORM 591

APPLICABILITY: This Temporary Instruction (TI) is applicable to regional and resident safety and safeguards inspections at certain licensees and certificate holders as defined below.

0610/001-01 OBJECTIVE

The objective is to outline the process for conducting a pilot program using NRC Form 591 to document the results of certain inspections at fuel cycle facilities. This pilot is being conducted to determine if key information regarding inspection findings can be documented using this alternative means while continuing to make available to the public important information regarding licensee and certificate holder performance and continuing to make available information needed by the NRC to assess licensee and certificate holder performance. This pilot will test a program of reduced time spent documenting inspection areas where there have been no significant safety or safeguards findings so that resources can be applied to inspection preparation and conduct of inspections.

0610/001-02 BACKGROUND

Currently inspection of fuel cycle facilities conducted under the requirements of Inspection Manual Chapter (IMC) 2600, "Fuel Cycle Facility Operational Safety and Safeguards Inspection Program" are documented in accordance with IMC 0610, "Nuclear Material Safety and Safeguards Inspection Reports." The current IMC 0610 specifies that narrative reports will be issued for inspections at fuel cycle facilities. These narrative reports contain information on areas inspected, including both areas where there are safety- or safeguards-significant findings and areas where the programs are found to meet NRC regulations and are operated safely and securely. Inspections of other types of facilities, including materials licensees and independent spent fuel storage installations (ISFSIs), document inspections with no significant findings using an NRC Form 591. Use of the Form 591 should reduce the time inspectors spend documenting inspection results, particularly in areas where licensees or certificates' programs are operating in accordance with NRC regulations. This TI is to test similar use of the Form 591 to document inspection results for certain inspections of fuel cycle licensees and certificate holders to determine if staff resources can be saved while still communicating sufficient information on licensee and certificate holder performance.

0610/001-03 INSPECTION REQUIREMENTS

Inspection Reports by Region II-Based Inspectors and Resident Inspection Staff. During the pilot program, results of inspections by Region II-based inspectors and resident inspection staff shall be documented either through a narrative report or by use of a Form

591 and Executive Summary. Narrative reports will be used to document results for:

- a. Reactive inspections of significant events.
- b. Inspections that result in an enforcement conference, escalated enforcement, or a management meeting. For such cases, the narrative report should only address the areas in which safety or safeguards concerns and/or violations are identified; all other areas reviewed during such an inspection should be documented by use of a Form 591 and Executive Summary as noted below. The cover letter to the narrative report documenting the areas with safety or safeguards concerns should be used to transmit the Form 591 that documents the other areas inspected.
- c. Inspections of construction and startup of major new facilities, such as a gas centrifuge enrichment facility, a mixed oxide fuel processing facility, or a major expansion of an existing facility.
- d. Inspections of facilities shut down as a result of an event.
- e. Inspections that are determined to be of such significance that a narrative report is appropriate as determined by the Division Director of the organization performing the inspection. Such inspections would include inspections of facilities implementing significant performance improvement programs. In this case, areas not subject of the performance improvement program should be documented on a Form 591 and the areas subject of the performance improvement program should be documented in a narrative report.

Form 591's and an Executive Summary (and Notice of Violation where applicable) will be used to document other inspections.

The inspection records do not have to be typed, but should be legible and should contain:

- a. the procedure(s) used, noting any sections of each procedure which are required for program completion which were not completed;
- b. the areas of the safety or security program examined;
- c. the status of follow-up items involving prior enforcement or reported licensee or certificate holder events;
- d. sufficient information to support cited violations, non-cited violations, and closed violations identified during a previous inspection;
- e. description of completed and anticipated corrective actions to any identified violations; and
- f. a succinct description of the scope of the licensee or certificate holder's program.

The scope of a licensee or certificate holder's program should be documented on NRC Form 591 Part 3, to the extent possible, excluding proprietary information. If proprietary information is included on this Form, it should be marked and treated as proprietary. A different inspector should be able to use the inspection records in preparing for a subsequent inspection, and to determine what corrective actions to findings were planned by the licensee or certificate holder.

If a Form 591 is to be left with the licensee or certificate holder at the exit meeting, the

inspector must discuss the inspection findings and proposed content of the Form 591 with his or her branch chief prior to the exit meeting and receive branch chief approval to leave the Form 591.

When the NRC Form 591 is used to document the results of an inspection, the inspector must ensure that each cited and non-cited violation on the form includes: a brief statement of the circumstances, including the date(s) of the violation or non-cited violation (NCV) and the facts necessary to demonstrate that a requirement was not met, reference to the regulation or license condition that was violated, and a description of the licensee or certificate holder's corrective actions. For NCVs, the Form 591 should document why the violation was not cited and the corrective action taken or planned. The inspector must also ensure that the findings are documented in sufficient detail for the reader to determine what requirement was violated, how it was violated, who violated the requirement, and when it was violated. If the licensee or certificate holder provides corrective action for the violations, this information should also be included. The following is an example of a cited violation on an NRC Form 591:

As required by Section X.X of the license application, the licensee did not follow Section X.X of Procedure X.X and perform a quarterly functional tests of in-line monitor IM-2 actuation of valves V-1 and V-2 during the period from January 1, 2005, to May 31, 2005. The functional test conducted on May 31, 2005, was satisfactory. The licensee added this functional test to the functional test reminder system to notify staff to perform the tests.

Methods of Transmitting Inspection Results. Inspection results shall be reported to the licensee or certificate holder by issuing the following:

- a. For narrative reports, a cover letter signed by the inspector's Branch Chief or Division Director, depending on the significance of the inspection findings, an NOV if applicable, an inspection cover sheet, and report details (as described in MC 610),
- b. For Form 591 reports where the completed Form is left with the licensee or certificate holder, a separate cover letter transmitting the Executive Summary will be sent within 30 days of the exit meeting, or
- c. For Form 591 reports where the completed Form is sent from the Region II office, a cover letter signed by the inspector's Branch Chief, the Form 591, and an Executive Summary of the inspection findings will be sent to the licensee or certificate holder within 30 days of the exit meeting.

0610/001-04 COMPLETION SCHEDULE

This TI should be used to document the applicable inspections with end dates through December 31, 2006. If during implementation of this pilot program, changes in the above process are determined to be appropriate based on experience, such changes may be implemented with the written approval of the Director, Division of Fuel Cycle Safety and Safeguards (FCSS), Office of Nuclear Materials Safety and Safeguards. By October 31, 2006, Region II will submit to the Director, FCSS, a report on the implementation of this TI including recommendations on future use of the Form 591 for documenting inspection

results at fuel cycle facilities.

0610/001-05 EXPIRATION

This TI expires on December 31, 2006.

0610/001-06 CONTACT

The contact for this TI is Thomas Decker, 404-562-4721.

0610/001-07 STATISTICAL DATA REPORTING

Staff time documenting inspections in accordance with this TI are to be charged to inspection documentation as normally done.

0610/001-08 ORIGINATING ORGANIZATION INFORMATION

- 08.01 Organizational Responsibility. Region II, Division of Fuel Facility Inspection, initiated this TI.
- 08.02 Training. Staff who are to use this TI will receive training on its content and use prior to its use. This training is to be provided by the Branch Chief, Fuel Facility Inspection Branches, Region II.

END

Appendices

- A. NRC Form 591 Part 1
- B. NRC Form 591 Part 3

SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

1. LICENSEE OR CERTIFICATEE/LOCATION
INSPECTED:

REPORT NO.

2. NRC/REGIONAL OFFICE

U. S. Nuclear Regulatory Commission
Region II
61 Forsyth Street, Suite 23T85
Atlanta, Georgia 30301

3. DOCKET NUMBER

4. LICENSE OR CERTIFICATE NUMBER

5. DATE(S) OF INSPECTION

6. INSPECTION PROCEDURE(S) COMPLETED

LICENSEE OR CERTIFICATEE:

The inspection was an examination of the activities conducted under your license or certificate as the related to safety and/or safeguards and to compliance with the Nuclear Regulatory Commission (NRC) rules and regulations and the conditions of your license or certificate. The inspection consisted of selective examinations or procedures and representative records, interview with personnel, and observation by the inspector. The inspection findings are as follows:

9 1. Based on the inspection findings, no violations were identified.

9 2. Previous violation(s) closed.

9 3. Reported events reviewed.

9 4. The violation(s), specifically described to you the inspector as non-cited violations, are not being cited because they were self-identified, non-repetitive, and correction action was being taken, and the remaining criteria in the NRC Enforcement Policy, NUREG-1600, to exercise discretion, were satisfied.

_____ Non-Cited Violation(s) was/were discussed involving the following requirement(s) and Corrective Action(s):

9 5. During this inspection certain of your activities, as described below and/or attached, were in violation of NRC requirements and are being cited. This form is a NOTICE OF VIOLATION, which may be subject to posting in accordance with 10 CFR 19.11.

(Violations and Corrective Actions)

STATEMENT OF CORRECTIVE ACTIONS

I hereby state that, within 30 days, the actions described by me to the inspector will be taken to correct the violations identified. This statement of corrective actions is made in accordance with the requirements of 10 CFR 2.201 (corrective steps already taken, corrective steps which will be taken, dated when full compliance will be achieved). I understand that no further written response to NRC will be required, unless specifically requested.

TITLE	PRINTED NAME	SIGNATURE	DATE
LICENSEE/CERTIFICATEE			
NRC INSPECTOR			
<div style="display: flex; justify-content: space-between;"> <div> NRC FORM 591 PART 3 (11-2003) 10 CFR 2.201 </div> <div> U.S. NUCLEAR REGULATORY COMMISSION DOCKET FILE INFORMATION SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION </div> </div>			
1. LICENSEE OR CERTIFICATEE/LOCATION INSPECTED: REPORT NUMBER(S)	2. NRC/REGIONAL OFFICE U.S. NUCLEAR REGULATORY COMMISSION REGION II 61 FORSYTH STREET, SUITE 23T85 ATLANTA, GEORGIA 30303		
3. DOCKET NUMBER	4. LICENSE OR CERTIFICATE NUMBER	5. DATE(S) OF INSPECTION	
PROGRAM SCOPE			